

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>LEMUEL L. LILLY,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 05-728-GPM</b>
	)	
<b>JOHN EVANS,</b>	)	
	)	
<b>Respondent.</b>	)	

**JUDGMENT IN A CIVIL CASE**

**DECISION BY COURT.** This action came before the Court on the Report and Recommendation by United States Magistrate Judge Philip M. Frazier.

**IT IS ORDERED AND ADJUDGED** that the Report and Recommendation is adopted and the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is denied in its entirety. Judgment is entered in favor of Respondent, **JOHN EVANS**, and against Petitioner, **LEMUEL L. LILLY**, and this action is dismissed on the merits.

**DATED:** 12/03/07

NORBERT G. JAWORSKI, CLERK

By: s/ Linda M. Cook  
Deputy Clerk

APPROVED: s/ G. Patrick Murphy  
G. PATRICK MURPHY  
U.S. DISTRICT JUDGE